



## CERTIFICATE OF MAILING 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

June 28, 2005 ·

Date

Shelley P.M. Fussey

**PATENT** 

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Philip E. Thorpe and Rolf A. Brekken

Serial No.: 10/738,404

Filing Date: December 17, 2003

For: ANTI-VEGF ANTIBODY PRODRUG

METHODS (As Amended)

Group Art Unit: 1642

Examiner: Yaen, C.

Atty. Dkt. No.: 3999.002587

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that the present Supplemental Information Disclosure Statement be entered and the document listed on the enclosed Form PTO-1449 be considered by the Examiner and made of record in the present case. According to 37 C.F.R. § 1.98(a)(2)(ii), copies of listed U.S. patents are no longer required.

In accordance with 37 C.F.R. §§ 1.97(g),(h), this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Supplemental Information Disclosure Statement is being filed prior to the

receipt of a first Official Action reflecting an examination on the merits and hence is timely filed

in accordance with 37 C.F.R. § 1.97(b). Therefore, no fees should be due in connection

herewith. Even if an Official Action had been issued in the last few days, no fees would be

required in light of the following information.

In accordance with 37 C.F.R. § 1.97(e)(2), it is hereby certified that the document listed

in the accompanying Form PTO-1449 was not cited in a communication from a foreign patent

office in a foreign counterpart to the present application. The listed document was cited in an

Official Action on the merits in a co-pending application of one of the present inventors, U.S.

Application Serial No. 09/998,833 (Attorney Docket No. 4001.002299), mailed from the P.T.O.

on March 28, 2005, and could not have been submitted before receipt. The present statement is

being filed within three months of the date of the referenced Official Action, and is thus timely.

No fees are due in connection with the filing of this Supplemental Information Disclosure

Statement. However, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for

any reason, the Examiner should contact the undersigned representative to discuss deduction

from Peregrine Pharmaceuticals, Inc. Deposit Account No. 50-3493/3999.002587.

Respectfully submitted,

PEREGRINE PHARMACEUTICALS, INC.

Customer No. 000052101

Shelley P.M. Fussey, Ph.D.

Reg. No. 39,458

Agent for Applicants

5353 W. Alabama, Suite 306

Houston, Texas, 77056

(832) 886-5834

Date: June 28, 2005

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Form PTO-1449 (modified)				Temp. Atty. Docket No. 3999.002587			Serial No. 10/738,404		
List of Patents and Publications for Applicant's  INFORMATION DISCLOSURE STATEMENT  (Use several sheets if necessary)					Applicant Thorpe et al.				
					Filing Date:		Group:		
U.S. Patent Documents See Page 1			Foreign 1	December 17, 2003 Foreign Patent Documents See Page		Other Art See Page 1			
			U.S. Pate	ent D	ocuments			<u>.</u>	
Exam. Init.	Ref. Des.	Document Number	Date	}	Name	Clas	s Sub Class	Filing Date of App.	
	A72	5,725,856	March 10, 1998		Hudziak, et al.	424	130.1		
		F	oreign Pa	itent	Documents	5			
Exam. Init.	Ref. Des.	Document Number	Da	te	Country	Class	S Sub Class	Translation Yes/No	
	 Other	Art (Includin	g Author	, Titl	e, Date Pert	inent	Pages,	Etc.)	
Exam. Init.	Ref. Des.								
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EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

Information Disclosure Statement — PTO-1449 (Modified)